

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF ALASKA

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CLERK, U.S. DISTRICT COURT  
ANCHORAGE, ALASKA

GERSON NUNEZ,  
Defendant,

)  
) D.C. NO.: A99-0036-HRH  
)

vs.

UNITED STATES OF AMERICA,  
Respondent.

)  
) Hon. H. Russel Holland  
) U.S. District Judge  
)  
)

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ORDER

NOW, this \_\_\_\_\_ day of \_\_\_\_\_, 2008, upon consideration of Defendant's Renewed Motion for Modification of Sentence Pursuant to Title 18 U.S.C. §3582(c); and the retroactivity of the U.S.S.G. and Kimborough v. United States, 128 S.Ct. 558, 569 (2007). IT IS HEREBY ORDERED that the Defendant Gerson Nunez be release from custody.

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H. Russel Holland  
U.S. District Judge